

SSB 6656 - S AMD 80

By Senator Rockefeller

1 On page 3, beginning on line 13, after "(2)(a)" strike all material  
2 through "35.92.070, a" on line 14 and insert "A"

3 Beginning on page 7, line 36, strike all of section 6 and insert  
4 the following:

5 "Sec. 6. RCW 35.92.070 and 1987 c 145 s 1 are each amended to read  
6 as follows:

7 When the governing body of a city or town deems it advisable that  
8 the city or town purchase, acquire, or construct any such public  
9 utility, or make any additions and betterments thereto or extensions  
10 thereof, it shall provide therefor by ordinance, which shall specify  
11 and adopt the system or plan proposed, and declare the estimated cost  
12 thereof, as near as may be, and the ordinance shall be submitted for  
13 ratification or rejection by majority vote of the voters of the city or  
14 town at a general or special election.

15 (1) No submission shall be necessary:

16 (a) When the work proposed is an addition to, or betterment of,  
17 extension of, or an increased water supply for existing waterworks, or  
18 an addition, betterment, or extension of an existing system or plant of  
19 any other public utility;

20 (b) When in the charter of a city a provision has been adopted  
21 authorizing the corporate authorities thereof to provide by ordinance  
22 for acquiring, opening, or operating any of such public utilities;

23 ((~~or~~))

24 (c) When in the judgment of the corporate authority, the public  
25 health is being endangered by the discharge of raw or untreated sewage  
26 into any body of water and the danger to the public health may be  
27 abated by the construction and maintenance of a sewage disposal plant;  
28 or

1        (d) When the governing body of a city or town deems it advisable to  
2 form an energy conservation services utility under chapter 35.-- RCW  
3 (the new chapter created in section 7 of this act).

4        (2) Notwithstanding subsection (1) of this section, submission to  
5 the voters shall be necessary if:

6        (a) The project or work may produce electricity for sale in excess  
7 of present or future needs of the water system;

8        (b) The city or town does not own or operate an electric utility  
9 system;

10       (c) The work involves an ownership greater than twenty-five percent  
11 in a new water supply project combined with an electric generation  
12 facility; and

13       (d) The combined facility has an installed capacity in excess of  
14 five megawatts.

15       (3) Notwithstanding subsection (1) of this section, submission to  
16 the voters shall be necessary to make extensions to a public utility  
17 which would expand the previous service capacity by fifty percent or  
18 more, where such increased service capacity is financed by the issuance  
19 of general obligation bonds.

20       (4) Thirty days' notice of the election shall be given in the  
21 official newspaper of the city or town, by publication at least once  
22 each week in the paper during such time.

23       (5) When a proposition has been adopted, or in the cases where no  
24 submission is necessary, the corporate authorities of the city or town  
25 may proceed forthwith to purchase, construct, and acquire the public  
26 utility or make additions, betterments, and extensions thereto and to  
27 make payment therefor."

EFFECT:     Removes the public vote requirement for establishing a  
municipal conservation services utility.

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